

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

The claims currently pending in this application are Claims 15-24, with Claims 15 and 21 being the only independent claims. Those independent claims have been rejected based on the disclosure contained in U.S. Patent No. 4,850,655 to *Takata et al.* in view of the disclosure contained in U.S. Patent No. 6,095,620 to *Dillard et al.* That rejection is respectfully traversed for at least the following reasons.

Independent Claims 15 and 21 are directed to a hydraulic vehicle brake system comprising a hydraulic pressure generating device, an auxiliary hydraulic pressure source, a hydraulic pressure generating device, an output hydraulic pressure detecting means, a vehicle condition detecting means, a driving condition setting means, and a driving control means. The hydraulic pressure generating device pressurizes brake fluid supplied from a reservoir to apply brake pressure to a wheel cylinder in response to operation of a brake operating member. The auxiliary hydraulic pressure source comprises an accumulator, a hydraulic pump, and an electric motor which drives the pump to generate power hydraulic pressure. The hydraulic pressure generating device comprises a master cylinder and a hydraulic booster, the latter of which assists operation of the master cylinder. The output hydraulic pressure detecting means continuously detects the output hydraulic pressure of the accumulator and the vehicle condition detecting means continuously

detects an operation of the vehicle, with the driving condition setting means setting the driving condition of the hydraulic pump based on the operating condition of the vehicle detected by the vehicle condition detecting means. The driving control means controls the electric motor to drive the hydraulic pump based on the driving condition of the hydraulic pump set by the driving condition setting means and the output hydraulic pressure of the accumulator of the auxiliary hydraulic pressure source.

The Official Action observes that *Takata et al.* discloses a hydraulic brake system having features which are said to correspond to some of the claimed features recited in Claims 15 and 21. The Official Action notes, however, that *Takata et al.* lacks disclosure of a number of the features recited in Claims 15 and 21, including the output hydraulic pressure detecting means, the vehicle condition detecting means, the driving condition setting means and the driving control means. Addressing these deficiencies, the Official Action discusses the disclosure contained in *Dillard et al.* and observes that it would have been obvious to modify the system described in *Takata et al.* to include certain features disclosed in *Takata et al.*.

In particular, it is said that the discussion in line 36 of column 8 of *Dillard et al.* describes a hydraulic pressure detecting means for continuously detecting the output hydraulic pressure in an accumulator of an auxiliary hydraulic pressure source, and that the discussion in lines 35-60 of column 8 describes a driving control means that controls the electric motor to drive the hydraulic pump based on the

driving condition of the hydraulic pump and the output hydraulic pressure of the accumulator. On these points, it appears the Examiner may have misunderstood the disclosure contained in *Dillard et al.* because *Dillard et al.* does not disclose such features.

It appears from the comments in the Official Action that the discussion in lines 31-35 of column 8 of *Dillard et al.* was interpreted as a description of an accumulator forming part of an auxiliary hydraulic pressure source. However, the accumulator mentioned in lines 31-35 of column 8 of *Dillard et al.* is not an accumulator forming a part of an auxiliary hydraulic pressure source. Rather, the accumulator mentioned in the middle of column 8 of *Dillard et al.* is a part of the control system, apparently somewhat akin to an integrator. Indeed, the discussion beginning in line 28 of column 8 of *Dillard et al.* states that "a variable is calculated and loaded into an accumulator", with the content of such accumulator after such calculation being represented by the formula set forth in the middle of column 8 of *Dillard et al.*.

It is thus apparent that *Dillard et al.* does not disclose an output hydraulic pressure detecting means that continuously detects an output hydraulic pressure of an accumulator of an auxiliary hydraulic pressure source. It necessarily follows that *Dillard et al.* also does not disclose a driving control means which controls the electric motor to drive the hydraulic pump based on the driving condition of the hydraulic pump and the output hydraulic pressure of the accumulator. Considering that both *Takata et al.* and *Dillard et al.* are deficient in these respects, a

combination of the disclosures contained in the two documents would not have directed one to do that which is defined in independent Claims 15 and 21, and the dependent claims, as the invention. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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